

Message Text

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47

ACTION DLOS-07

INFO OCT-01 ARA-16 EUR-25 EA-11 NEA-14 ISO-00 IO-14 AF-10

CG-00 CIAE-00 DODE-00 PM-07 H-03 INR-10 L-03 NSAE-00

NSC-07 PA-04 RSC-01 PRS-01 SP-03 SS-20 AID-20 CEQ-02

COA-02 COME-00 EB-11 EPA-04 NSF-04 SCI-06 ACDA-19

AEC-11 AGR-20 DOTE-00 FMC-04 INT-08 JUSE-00 OMB-01

CIEP-02 OIC-04 TRSE-00 FEA-02 DRC-01 /278 W

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R 051845Z JUL 74

FM AMEMBASSY CARACAS

TO SECSTATE WASHDC 4516

INFO AMEMBASSY LONDON

AMEMBASSY MANAGUA

AMEMBASSY MONTEVIDEO

AMEMBASSY PRAGUE

AMEMBASSY SANAA

AMEMBASSY USIA

USUN NEW YORK 629

AMEMBASSY WARSAW

AMEMBASSY SUVA

UNCLAS SECTION 1 OF 2 CARACAS 6159

USIA FOR IPS AND IBS

FROM US DEL LOS

E.O. 11652: N/A

TAGS: PLOS

SUBJECT: LOS: GENERAL DEBATE 4 JULY

1. UK: MINISTER OF STATE DAVID ENNALS EMPHASIZED NEED
FOR COMPROMISE AND BALANCING NEEDS OF ALL NATIONS AGAINST
NATIONAL INTERESTS. ON FISHERIES UK SUPPORTS EXISTING
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RULES ON NARROW LIMITS OF JURISDICTION BUT WITH INTERNATIONAL

REGULATIONS ESTABLISHED BY REGIONAL FISHERY COMMISSIONS. HE INDICATED READINESS TO DISCUSS 200 MILE ECONOMIC ZONE IF RIGHTS ARE BALANCED BY OBLIGATIONS WHICH INCLUDE FREEDOM OF NAVIGATION. ENNALS EXPRESSED SUPPORT FOR SOVEREIGN RIGHTS OVER SUBMERGED RESOURCES TO EDGE OF CONTINENTAL MARGIN AND 12 MILE TERRITORIAL SEA SUBJECT TO AGREEMENT ON STRAITS. THE LOS CONVENTION SHOULD NOT SPELL OUT DETAILED REGULATIONS ON POLLUTION BUT ESTABLISHED FRAMEWORK FOR SPECIAL CONVENTIONS BY SETTING OUT GENERAL RIGHTS AND OBLIGATIONS OF STATES. ENNALS ATTACHED PRIME IMPORTANCE TO COMPULSORY DISPUTE SETTLEMENT ADDING ICJ SHOULD HAVE MAJOR RESPONSIBILITY BUT FOR SOME SPECIFIC FIELDS DIFFERENT PROCEDURES ARE APPROPRIATE. ACKNOWLEDGING UK'S 1971 PROPOSAL FOR LICENSING SYSTEM ON DEEP SEABED WAS NOT SUPPORTED ENNALS FAVORED PROPOSAL THAT (A) ENSURES ALL COUNTRIES ARE ABLE TO EXPLOIT; (B) FAVORS LDCS IN DISTRIBUTION OF REVENUE THRU ORGAN OF AUTHORITY WHERE LDCS COULD HAVE MAJORITY, AND (C) PROVIDES TRAINING FOR LDC REPS IN MINING TECHNOLOGY.

2. CZECHOSLOVAKIA: CZECH REP SAW ADOPTION OF RULES BY CONSENSUS AS HOPEFUL PRECEDENT FOR SUBSTANTIVE NEGOTIATIONS. ON SUBSTANCE, HE SAID THAT LOS TREATY MUST MAKE ADEQUATE PROVISION FOR FREEDOM OF TRANSIT AND FACILITATE NECESSARY LANDLOCKED ACCESS TO SEA AND SEABED. CZECH STRONGLY ADVOCATED FREE PASSAGE THROUGH STRAITS CONNECTING AREAS OF HIGH SEAS AND USED FOR INTERNATIONAL NAVIGATION, ESSENTIALLY ENDORSING SOVIET POSITION.

3. NICARAGUA: NICARAGUAN FOREIGN MINISTER MONTIEL ARGUELLO NOTED HIS COUNTRY'S ABILITY TO ACCEPT ECONOMIC JURISDICTION BEYOND 12 MIL TERRITORIAL SEA. HE STRESSED NEED TO MAINTAIN FREEDOM OF NAVIGATION SUBJECT TO ACCOMMODATION OF COASTAL STATE SECURITY AND ENVIRONMENTAL INTERESTS; COASTAL STATE JURISDICTION OVER MARGIN; AND PRAGMATIC SOLUTIONS TO SEABED PROBLEMS.

4. FIJI: MINISTER R.D. TOGANIVALU CONCENTRATED ALMOST ENTIRELY ON ARCHIPELAGO ISSUE AND EXPRESSED CONTINUED SUPPORT FOR THEIR 1973 PROPOSALS WHICH HE EXPLAINED IN DETAIL. EXPRESSING APPRECIATION FOR EFFORTS OF THOSE STATES WHO HAVE UNCLASSIFIED

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DISCUSSED AND COUNTER-PROPOSED HE INVITED CONTINUING DIALOGUE TO REACH SOLUTION. MAJOR THEME OF TOGANIVALU WAS THAT DOOR IS STILL OPEN.

5. CUBA: VICE FON MIN TORRAS DE LA LUAZ, IN REMARKABLY RESTRAINED SPEECH WITH FEW REFERENCES TO U.S., PRIMARILY BACKED SOV LOS POSITIONS WITH HEAVY EMPHASIS ON CONSENSUS. HE NOTED LEGITIMATE DC INTERESTS MUST BE RECOGNIZED BY LDCS.

HE URGED SPECIAL TREATMENT FOR LIVING RESOURCES IN ECONOMIC ZONE AND NEED FOR SPECIAL REGIONAL ARRANGEMENT FOR CUBA ON FISHERIES. DE LA LUAZ GAVE EMPHATIC SUPPORT FOR UNIMPEDED TRANSIT IN STRAITS.

6. YEMEN: YEMENI REP TARCICI STRESSED THREE POINTS:
(A) NEED FOR LOS TREATY TO INCLUDE INSTALLATION MACHINERY TO PROVIDE PERIODIC REVIEW OF ITS PROVISIONS SO THAT NEW REALITIES OF TECHNOLOGY CAN BE MET; (B) DESIRABILITY OF TREATY REFLECTING CONCEPT OF ENCLOSED OR SEMI-ENCLOSED SEAS, WITH ADDED RIGHTS FOR COASTAL STATES BORDERING SUCH BODIES OF WATER; AND (C) SUPPORT FOR STRAITS REGIME WHICH WOULD ALLOW SMOOTH UNENCUMBERED FLOW OF MERCHANT TRAFFIC, WITH REASONABLE ACCOMMODATION OF COASTAL STATE POLITICAL AND SECURITY RIGHTS.

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INFO OCT-01 ARA-16 EUR-25 EA-11 NEA-14 ISO-00 IO-14 AF-10

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USUN NEW YORK 630
AMEMBASSY WARSAW

AMEMBASSY SUVA

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USIA FOR IPS AND IBS

FROM US DEL LOS

7. POLAND: POLISH DEPUTY FOREIGN MINISTER TREPCZYNSKI CONCENTRATED UPON NAVIGATION AND FISHERIES. ECHOING SOVIET POSITION ON STRAITS HE CALLED FOR FREE PASSAGE FOR ALL SHIPS THROUGH INTERNATIONAL STRAITS WITH FLAG STATE OBLIGATION TO RESPECT COASTAL STATE SECURITY AND INTERNATIONAL POLLUTION STANDARDS. COASTAL STATES ALSO HAVE OBLIGATION TO RESPECT SUCH FREE TRANSIT, HOWEVER. TREPCZYNSKI DEVOTED MAJOR UNCLASSIFIED

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ATTENTION TO DEFENDING POLAND'S POSITION AS A DISTANT WATER FISHING STATE. HE RECOGNIZED RIGHT OF LDCS AND OTHER NATIONS CRITICALLY DEPENDENT ON FISHERIES TO ESTABLISH FISHERIES ZONES BEYOND THE TERRITORIAL SEA. LOS TREATY, HE CONTINUED, MUST EXPRESSLY GUARANTEE RIGHT OF ACCESS FOR FOREIGN FISHING IN ECONOMIC ZONE WHERE COASTAL STATE CANNOT HARVEST ALL OF ALLOWJ LE CATCH. HE SUGGESTED ROLE FOR FAO REGIONAL FISHERIES BODIES IN DETERMINING CONSERVATION AND MANAGEMENT PRACTICES AND TERMS OF ACCESS DISTANT WATER FISHERMEN.

8. URUGUAY: URUGUAY DEL DON JORGE DURAN COMPARADA DISCUSSED URUGUAY TERRITORIAL SEA LAW AND STATED THAT THE PRINCIPLE OF COASTAL STATE SOVEREIGNTY WITHING 200 MILE ZONE MUST BE PRESERVED. HE STATED THAT THE COASTAL STATE SHOULD HAVE FULL SOVEREIGNTY WITHIN THIS ZONE EXCEPT FOR THOSE LIMITATIONS SPECIFICALLY PROVIDED FOR IN THE TREATY. HE PROPOSED THAT ZONE CONTAIN TWO REGIMES: 12-MILE TERRITORIAL SEA IN WHICH THE INNOCENT PASSAGE WOULD APPLY AND A 188-MILE ZONE WITH FREEDOM OF NAVIGATION AND OVER-FLIGHT. THIS OUTER ZONE WOULD PRINCIPALLY PROVIDE JURISDICTION OVER RESOURCES BUT INCLUDE SCIENTIFIC RESEARCH AND CERTAIN DEFENSE MEASURES. WITHIN THIS ZONE THE COASTAL STATE WOULD HAVE THE DUTY TO ADOPT RULES TO PROTECT THE MARINE ENVIRONMENT FROM POLLUTION (THE COASTAL STATE WOULD BE EXPECTED TO FOLLOW RECOMMENDATIONS OF APPROPRIATE INTERNATIONAL BODIES) AND PROMOTE AND FACILITATE SCIENTIFIC RESEARCH. DURAN SAID URUGUAY COULD AGREE WITH SOME OF THE FORMULATIONS ON THE ECONOMIC ZONE OR PATRIMONIAL SEA BUT WARNED THAT OTHER SUCH PROPOSALS WOULD NOT PROVIDE THE COASTAL STATES WITH SUFFICIENT RIGHTS AND WERE THEREFORE UNACCEPTABLE. HE EXPRESSED SUPPORT FOR BROAD SHELF WITH THE COASTAL STATE JURISDICTION TO THE EDGE OF THE CONTINENTAL SHELF. HE STATED THAT THE TREATY MUST RECOGNIZE THE FULL RIGHTS OF LANDLOCKED STATES, ACCESS TO

THE SEA, AND RIGHT TO EXPLOIT THE LIVING RESOURCES. HOWEVER, THESE MUST BE IMPLEMENTED THROUGH BILATERAL OR SUBREGIONAL AGREEMENTS.

9. CHILE: CHILEAN REP FERNANDO ZEGERS SAID THERE WAS URGENT NEED FOR INTERNATIONAL AGREEMENT AND EXPRESSED HOPE THAT CARACAS SESSION WOULD ADOPT THE CENTRAL ARTICLES OF LOS CONVENTION IN PACKAGE DEAL. HE STATED THAT ECONOMIC ZONE OR PATRI-
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MONIAL SEA IS SATISFACTORY IF IT PROVIDES FOR FULL COASTAL STATE CONTROL OVER EXPLOITATION OF RESOURCES AND RELATED ENDS, MENTIONING SCIENTIFIC RESEARCH, POLLUTION CONTROL AND JURISDICTION OVER INSTALLATIONS. BEYOND TERRITORIAL SEA THERE WOULD BE FREEDOM OF NAVIGATION AND OVER-FLIGHT. HE STRESSED THAT ADOPTION OF 12-MILE TERRITORIAL SEA AND ECONOMIC ZONE MUST BE DONE TOGETHER. HE PROPOSED THAT THERE BE FURTHER STUDY OF THE EFFECTS OF SEABED MINING ON LANDBASED PRODUCERS. FINALLY, HE PROPOSED THAT CONFERENCE ADOPT PRINCIPLE OF FREE ACCESS OF LANDLOCKED STATES TO THE OCEAN AND PREFERENTIAL FISHING RIGHTS IN THE ECONOMIC ZONE WITH NEIGHBORING COUNTRIES.

10. LEAGUE OF ARAB STATES: M. AZZAM, AFTER MAKING BRIEF GENERAL REMARKS ON IMPORTANCE OF LOS NEGOTIATIONS, CONCENTRATED ON PLO PARTICIPATION IN CONFERENCE. HE SAID ARAB LEAGUE SUPPORTS PARTICIPATION PLO AND ALL OTHER LIBERATION MOVEMENTS RECOGNIZED BY REGIONAL ORGANIZATION. IN CONCLUDING HE EXPRESSED HOPE THAT CONFERENCE WOULD RESPOND POSITIVELY TO THIS DESIRE.
STEVENSON

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